

22810. Fresh grapefruit sections and fresh orange sections. (F. D. C. No. 38423. S. No. 29-858 M.)

QUANTITY: 405 cases, 6 No. 10 cans each, of fresh grapefruit sections and fresh orange sections at Jersey City, N. J.

SHIPPED: 6-3-55, from Tampa, Fla.

LIBELED: 9-7-55, Dist. N. J.

CHARGE: 402 (a) (3)—contained a decomposed substance while held for sale.

DISPOSITION: 10-11-55. Default—destruction.

MISCELLANEOUS FRUIT PRODUCTS

22811. Apple cider. (F. D. C. No. 37197. S. Nos. 72-782 L, 72-784 L.)

INFORMATION FILED: 2-17-55, E. Dist. Ill., against Eckert Orchards Associates, Inc., Belleville, Ill., and Curt E. Eckert, secretary-treasurer.

SHIPPED: 9-28-54 and 9-29-54, from Illinois to Missouri.

LABEL IN PART: (Jug) "Eckert's Sweet Apple Cider Contents One Gallon [or "One-Half Gallon"] * * * Packed by Eckert Orchards Associates, Inc. Belleville, Ill."

CHARGE: 402 (a) (3)—contained maggots, fly parts, fly eggs, moth scales, and insect fragments; and 402 (a) (4)—prepared and packed under insanitary conditions.

DISPOSITION: On 6-10-55, the defendant filed a motion to suppress the evidence obtained during the factory inspection, on the ground that it had been obtained by an unlawful search and seizure. This motion was overruled by the court on 6-13-55.

On 12-19-55, the defendants entered pleas of nolo contendere; and, on the same day, after consideration of the Government's evidence and testimony from Curt Eckert, the court found the corporation guilty and fined it \$200 and dismissed the case against Curt Eckert.

22812. Apple cider. (F. D. C. No. 38388. S. Nos. 38-134/5 M.)

QUANTITY: 200 cases, 4 1-gal. jugs each, and 300 cases, 6 ½-gal. jugs each, at St. Louis, Mo.

SHIPPED: 10-11-55, from Alton, Ill., by Alton Vinegar Co.

LABEL IN PART: (Jug) "Cushing's Pasteurized Golden Russet Sweet Cider."

LIBELED: 10-27-55, E. Dist. Mo.

CHARGE: 402 (a) (3)—contained a decomposed substance by reason of the use of decomposed apples in the preparation of the article; and 402 (a) (4)—prepared under insanitary conditions.

DISPOSITION: 11-25-55. Default—destruction.

22813. Canned restricted diet applesauce. (F. D. C. No. 37924. S. No. 5-475 M.)

QUANTITY: 250 cases, 24 cans each, at Chicago, Ill.

SHIPPED: 2-28-55, from Sodus, N. Y., by Wegner Canning Corp.

LABEL IN PART: (Can) "Sexton Restricted Diet Net Weight 1 Pound - 453 Grams Apple Sauce * * * Food Value (Analysis by average of entire contents) * * * Sodium: Milligrams per 100 gr. 1.6 Sodium: Milligrams per ½ cup 1.9 (4 fl. ozs.)."

LIBELED: 4-11-55, N. Dist. Ill.

CHARGE: 403 (a)—the statement on the label of the article when shipped "Food Value (Analysis by average of entire contents) * * * Sodium: Milligrams per 100 gr. 1.6 Sodium: Milligrams per $\frac{1}{2}$ cup 1.9 (4 fl. ozs.)." was false and misleading as applied to the article, which contains substantially more than the stated amount of sodium.

DISPOSITION: 6-13-55. Consent—claimed by John Sexton & Co., Chicago, Ill., and relabeled.

22814. Fig paste. (F. D. C. No. 37909. S. Nos. 4-997/8 M.)

QUANTITY: 670 80-lb. cases at Chicago, Ill.

SHIPPED: 2-8-55 and 2-10-55, from Fresno, Calif., by Arnold-Hoover, Inc.

LABEL IN PART: (Case) "Baker-Kleen Brand * * * California Fig Paste * * * Adriatic Black Mission Kadota."

LIBELED: 3-29-55, N. Dist. Ill.

CHARGE: 402 (a) (3)—contained insects, insect parts, rodent hairs, and feather fragments; and 402 (a) (4)—prepared under insanitary conditions.

DISPOSITION: 7-25-55. Consent—claimed by Arnold-Hoover, Inc. Converted to animal feed.

VEGETABLES AND VEGETABLE PRODUCTS

22815. Dried lima beans. (F. D. C. No. 38467. S. Nos. 1-671/2 M.)

QUANTITY: 507 100-lb. bags at Tampa, Fla.

SHIPPED: 1-10-55 and 2-15-55, from Oxnard, Calif.

LIBELED: 10-4-55, S. Dist. Fla.

CHARGE: 402 (a) (3)—contained insect-infested and insect-damaged beans while held for sale.

DISPOSITION: 10-21-55. Consent—claimed by Lima Bean Growers Association, Oxnard, Calif. Segregated, 8,075 lbs. destroyed.

22816. Pink beans, pigeon peas, lima beans, and cranberry beans. (F. D. C. No. 38489. S. Nos. 36-749 M, 36-751/2 M, 36-758 M.)

QUANTITY: 50 100-lb. bags of pink beans, 4 100-lb. bags of pigeon peas, 217 100-lb. bags of lima beans, and 25 100-lb. bags of cranberry beans at Bronx, N. Y.

SHIPPED: During 1955, from California and Puerto Rico.

LIBELED: 10-14-55, S. Dist. N. Y.

CHARGE: 402 (a) (3)—contained insects while held for sale.

DISPOSITION: 11-14-55. Consent—claimed by T. J. Krikorian & Son, Inc., Bronx, N. Y. Segregated, 314 lbs. denatured.

22817. Olives. (F. D. C. No. 38436. S. No. 29-421 M.)

QUANTITY: 54 50-lb. kegs at New York, N. Y.

SHIPPED: 1-19-55, from Italy.

LABEL IN PART: (Keg top) "Olive nere MM 14/16 Product of Italy Jumbo 30 [or other number]"; (keg side) "Saoy Bari N G [some "N G G"]."

LIBELED: 9-13-55, S. Dist. N. Y.